

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

APPLICANT(S) : Benco et al.  
TITLE : NETWORK SUPPORT FOR  
GRADUATED AIRTIME BILLING  
APPLICATION NO. : 10/752,050  
FILED : January 6, 2004  
CONFIRMATION NO. : 6126  
EXAMINER : LAI  
ART UNIT : 2617  
LAST OFFICE ACTION : February 6, 2008  
ATTORNEY DOCKET NO. : LUTZ 200265  
Case Name/No. Benco 57-51

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **February 6, 2008** finally rejecting claims 1-47. A Pre-Appeal Brief Request for Review is being filed herewith.

The items checked below are appropriate:

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$510.00

3. **EXTENSION OF TERM**

☐ Applicant(s) hereby petition(s) the Commissioner under 37 C.F.R. §1.136(a) for a \_\_\_\_\_-month extension of time up to and including \_\_\_\_\_ in which to file the accompanying Notice of Appeal. Payment for the filing of this Notice of Appeal and any appropriate extension of time fees are authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308. If there are any additional fees required by this communication, please charge same to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

The total fee due is:

Notice of Appeal Fee: \$510.00  
Extension of Time Fee: \$ \_\_\_\_\_

5. **METHOD OF PAYMENT**

☒ The fees indicated above are authorized to be charged to a credit card.

Respectfully submitted,

Fay Sharpe LLP

May 6, 2008  
Date

Joseph D. Dreher  
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CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being <input type="checkbox"/> deposited with the United States Postal Service as First Class Mail, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below. <input checked="" type="checkbox"/> transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.	
Express Mail Label No.:	Signature: <u>Mary Ann Temesvari</u>
Date: <u>May 6, 2008</u>	Name: Mary Ann Temesvari